

ONE HUNDRED THIRTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115  
Majority (202) 225-2927  
Minority (202) 225-3641

October 15, 2013

The Honorable John Boehner  
Speaker of the House  
United States House of Representatives  
H-232 The Capitol  
Washington, D.C. 20515

Dear Speaker Boehner:

We urge you to immediately allow a vote on a clean bill to reopen the entire federal government. The Republican-led government shutdown is having serious negative impacts on our nation.

As members of the Energy and Commerce Committee, we have responsibility for federal programs relating to health, consumer and product safety, energy and the environment, and telecommunications. In all of these areas, the shutdown is causing widespread disruption.

Here are just a few examples:

- **The shutdown's impact on food safety.** The Food and Drug Administration cannot "support the majority of its food safety, nutrition, and cosmetics activities."<sup>1</sup> The agency has ceased "safety activities such as routine establishment inspections, some compliance and enforcement activities, monitoring of imports, notification programs (e.g., food contact substances, infant formula), and the majority of the laboratory research necessary to inform public health decision-making."<sup>2</sup>

---

<sup>1</sup> Department of Health and Human Services, *Fiscal Year 2014 Contingency Staffing Plan for Operations in the Absence of Enacted Annual Appropriations* (online at [www.hhs.gov/budget/fy2014/fy2014contingency\\_staffing\\_plan-rev3.pdf](http://www.hhs.gov/budget/fy2014/fy2014contingency_staffing_plan-rev3.pdf)).

<sup>2</sup> *Id.*

- **The shutdown's impact on public health and medical research.** The Centers for Disease Control and Prevention is able to provide only "minimal support" to protect public health in other areas and has halted key programs.<sup>3</sup> The National Institutes of Health has ceased accepting new patients for clinical trials and has stopped action on grant applications and awards.<sup>4</sup>
- **The shutdown's impact on consumers and product safety.** The Federal Trade Commission cannot investigate and prosecute perpetrators of fraudulent actions against U.S. citizens.<sup>5</sup> The vehicle safety activities of the National Highway Traffic Safety Administration are entirely shut down, preventing agency officials from investigating highway crashes to determine if they are caused by auto defects.<sup>6</sup> The Consumer Product Safety Commission is almost entirely shut down, leaving it unable to investigate potential consumer product hazards.<sup>7</sup>
- **The shutdown's impact on the energy and the environment.** The Environmental Protection Agency has halted most Superfund cleanups and furloughed virtually all of its civil enforcement staff.<sup>8</sup> The Chemical Safety Board has halted its investigation into the causes of the West, Texas fertilizer explosion and frozen its investigations into 14 other sites located in California, Washington, Utah, and Texas.<sup>9</sup> The authority of the Department of Homeland Security to enforce the Chemical Facility Antiterrorism Standards (CFATS) program, which protects the nation from terrorist attacks on chemical facilities, has expired.<sup>10</sup>

---

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> Federal Trade Commission, *Shutdown of Federal Trade Commission Operations Upon Failure of the Congress to Enact Appropriations* (Sept. 25, 2013) (online at [ftc.gov/ftc/oed/130925ftcshutdownplan.pdf](http://ftc.gov/ftc/oed/130925ftcshutdownplan.pdf)).

<sup>6</sup> Department of Transportation, *Operations During a Lapse in Annual Appropriations Plans by Operating Administration* (Sept. 27, 2013) (online at [www.dot.gov/sites/dot.dev/files/docs/DOT%202014%20Plan%20for%20Approp%20Lapse.pdf](http://www.dot.gov/sites/dot.dev/files/docs/DOT%202014%20Plan%20for%20Approp%20Lapse.pdf)).

<sup>7</sup> Consumer Federation of America, et al., *Consumer Groups Outline Shutdown's Impact on Consumer Protection* (Oct. 11, 2013) (online at [consumerfed.org/news/711](http://consumerfed.org/news/711)).

<sup>8</sup> Environmental Protection Agency, *Contingency Plan for Shutdown* (online at <http://www.epa.gov/lapse/resources/epa-contingency-plan-2013.pdf>).

<sup>9</sup> *Chemical board's probe into deadly West fertilizer explosion halted by shutdown*, NBC News (Oct. 11, 2013) (online at [usnews.nbcnews.com/\\_news/2013/10/09/20883982-chemical-boards-probe-into-deadly-west-fertilizer-explosion-halted-by-shutdown?lite](http://usnews.nbcnews.com/_news/2013/10/09/20883982-chemical-boards-probe-into-deadly-west-fertilizer-explosion-halted-by-shutdown?lite)).

<sup>10</sup> Memorandum from Ranking Member Henry A. Waxman, *Expiration of Chemical Security Requirements* (Oct. 10, 2013).

- **The shutdown's impact on spectrum supply and funding for first responder communications network.** The Federal Communications Commission (FCC) may be forced to postpone the first spectrum auction for mobile broadband in six years scheduled for January 2014.<sup>11</sup> Neither the National Telecommunications Information Administration nor the FCC is able to work with federal, regional, and local agencies to investigate possible communications system failures for first responders during the shooting at the Navy Yard last month.<sup>12</sup>

These are just a few examples of the broad impacts the Republican government shutdown is having on our nation's federal programs relating to health, consumer and product safety, energy and the environment, and telecommunications.

We urge you to end the government shutdown and allow the federal government to resume full operations.

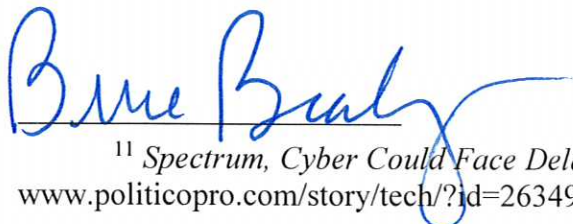
Sincerely,

  
\_\_\_\_\_

  
\_\_\_\_\_

  
\_\_\_\_\_

  
\_\_\_\_\_

  
\_\_\_\_\_

<sup>11</sup> *Spectrum, Cyber Could Face Delays*, Politico (Sept. 30 2013) (online at [www.politicopro.com/story/tech/?id=26349](http://www.politicopro.com/story/tech/?id=26349)).

<sup>12</sup> See generally Letter from Ranking Members Waxman and Eshoo to Lawrence E. Strickling, Assistant Secretary for Communications and Information, Department of Commerce, and Mignon Clyburn, Acting Chairwoman, Federal Communications Commission (Sept. 23, 2013).

Philip H

Leo Capps

Jim Mathem

Jim McHugh

J.P. Sh

J.M. Put

Doris O. Matsui

Peter Welch

Ben L. Lyn

Ken Bauer

Diana DeLette

Gene Green

Gene G. Esch

Paul D. Tonko



Kathy Casta

Mr. Dyer

Paul Whigell

Eliot L. Engel

Butterful